

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

TIMOTHY HARMON,

Petitioner,

v.

Case No. 21-C-147

SARAH COOPER,

Respondent.

ORDER DENYING REQUEST FOR CERTIFICATE OF APPEALABILITY

Petitioner Timothy Harmon filed a notice of appeal from this Court’s order denying him relief under 28 U.S.C. § 2254. On October 11, 2021, Petitioner filed a request for a certificate of appealability. Under Rule 11(a) of the Rules Governing Section 2254 Cases, the Court must consider whether to issue a certificate of appealability. A court may issue a certificate of appealability only if the applicant makes a substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2). The standard for making a “substantial showing” is whether “reasonable jurists could debate whether (or, for that matter, agree that) the petition should have been resolved in a different manner or that the issues presented were adequate to deserve encouragement to proceed further.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000) (internal quotation marks omitted). The Court concludes that its decision is neither incorrect nor debatable among jurists of reason. Accordingly, Petitioner’s request for a certificate of appealability (Dkt. No. 17) is **DENIED**, and Petitioner must seek further relief from the court of appeals on this issue.

SO ORDERED at Green Bay, Wisconsin this 13th day of October, 2021.

s/ William C. Griesbach

William C. Griesbach
United States District Judge